

MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, January 25, 2000
Tuesday, 9:02 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Cole, Lambke, Martz, Pisciotte, Rogers; present. *Council Member Gale absent.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

The invocation was given by Mark Brown, Native American.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes -- approved

The minutes of the regular meeting of January 11, 2000, were approved 6 to 0. (Gale absent)

AWARDS AND PRESENTATIONS

*Council Member Gale present.

PROCLAMATIONS

Proclamations previously approved were presented.

YOUTH SERVICE

Wichita's Promise – Youth Community Service Awards were presented.

PUBLIC AGENDA

Comments by Samuel J. Roberts.

Samuel J. Roberts

Samuel J. Roberts spoke regarding property located at 2615 East 9th. Mr. Roberts purchased property located at 2615 East 9th. The City of Wichita, in the process of condemnation proceedings, had asbestos and some of the interior of the building removed, and a special assessment of \$3,715.40 was subsequently charged to the property.

Mr. Roberts said he is unable to pay and the assessment is unfair because he did not cause the charges to be made to the property. Mr. Roberts asked the City Council to forgive the debt.

Motion --
-- carried

Knight moved that Mr. Roberts meet with the City Manager, the Superintendent of Central Inspection, and Council Member Rogers to see if there is some way to arrive at a fair conclusion. Motion carried 7 to 0.

NEW BUSINESS

APPOINTMENTS

GRANTS REVIEW COMMITTEE APPOINTMENTS.

Tom Smith

Grants In Aid Coordinator reviewed the Item.

Agenda Report No. 00-0066.

The City Council previously created a Grants Review Committee to provide recommendations on Consolidated Plan funding. The thirteen member Grants Review Committee reviews the funding applications, holds one public hearing/applicant presentation and makes funding recommendations to the City Council. The Grants Review Committee was formerly comprised of the following organizations: 4-Citizen Participation Organization; 1-Human

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 138

Services Board; 1-United Way; 1-Sedgwick County; 1- USD #259; 2-Wichita Independent Neighborhood Association; 1-Wichita State University; 1- large business and one small business.

On December 14, 1999, the City Council eliminated the Human Services Advisory Board and created new District Advisory Boards to replace the Citizen Participation Organization. The District Advisory Boards have not appointed members. Because of the need to meet HUD Consolidated Plan deadlines, it is recommended the Grants Review Committee proceed without District Advisory Board representation at this time.

It is anticipated that District Advisory Board representatives will replace CPO and Human Services Board membership on the Grants Review Committee when the District Advisory Boards become fully operational. District Advisory Board representation on the Grants Review Committee will be addressed in the future when the City Council will be requested to review changes to the HUD Consolidated Plan, Citizen Participation Plan, which defines the permanent composition of the Grants Review Committee.

Small and large business nominations were solicited. The City Council is requested to select one small and one large business representative and approve the appointments to the Grants Review Committee. In the event one of the large business nominees is unable to serve, it is requested the City Council authorize the City Manager to appoint a replacement.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --

Cole moved that Janet Lloyd Williams be nominated as the large business appointment.

Tom Smith

Grants In Aid Coordinator said, in light of the fact that the DABs are not yet in place, all of the nominees could be appointed.

-- withdrawn

Motion, with consent of the second, was withdrawn.

Motion --

Cole moved that Mitchell Littleton and Pam Carter, small business; Janet Lloyd Williams and Lee Bush, large business; June Bailey Mark Criner, WIN; Brad Snapp, Sedgwick County; Pat Hanrahan, United Way; Eric Sexton, WSU; and Terry Behrend, USD 259, be appointed and the appointments be approved. Motion carried 7 to 0.

-- carried

HUD SECTION 108 LOAN GUARANTEE FUNDING DOCUMENTS – BUSINESS ASSISTANCE PROGRAM.

Tom Smith

Grants In Aid Coordinator reviewed the Item.

Agenda Report No. 00-0067.

On February 9, 1999, the City Council approved the submission of an application to the U. S. Department of Housing and Urban Development (HUD) for a \$3 million dollar Section 108 Loan Guarantee for the Business Loan Program. HUD has approved the City's Section 108 Loan Guarantee application and the Economic Development Initiatives (EDI) application.

The purpose of the Section 108 Loan Guarantee funds is to remove barriers to capital formation by small and minority businesses in the Neighborhood Revitalization Areas by providing HUD Section 108 Loans to existing and start up small and minority businesses that would not otherwise receive commercial loans while encouraging commercial lenders to make more loans in the Neighborhood Revitalization Areas. The City is leveraging EDI funds three to one with HUD Section 108 Loan Guarantee funds and CDBG funds to provide total City funding of \$4.067 million. Private financial institutions will be required to match City Section 108 funding on approximately a two to one basis by providing up to \$6 million dollars in private loan funds. The City and the lenders have agreed to the mechanics on loan origination and loan servicing. The lenders will charge a maximum interest rate of prime plus two percent on their portion of the loans. The lenders have also agreed to share loan collateral proportionately with the City. The lenders will each provide two million dollars in private loan funds to match the Section 108 Loan Guarantee funds providing a total loan pool of \$9 million dollars.

The City will utilize HUD Section 108 Loan Guarantee funds in the amount of \$3 million dollars to serve as a portion of the loan pool.

The City has met the requirements necessary to execute the Section 108 Loan Guarantee Funding Agreement.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 139

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion -- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CITY COUNCIL AGENDA

APPOINTMENTS

BOARD/COMMISSION APPOINTMENTS.

Motion --

Gale appointed Jim Skelton to the Board of Zoning Appeals and moved that the appointment be approved. Motion carried 7 to 0.

--

Motion --

Rogers appointed Beth Bateman to the Police and Fire Retirement Board and moved that the appointment be approved. Motion carried 7 to 0.

-- carried

CONSENT AGENDA

Knight moved that the Consent Agenda, except Items 17i and 17u be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED JANUARY 24, 2000.

Bids were opened January 21, 2000, pursuant to advertisements published on:

Auburn Hills Clubhouse Phase II - south of Maple, west of 119th Street West. (472-82988/472-82989/472-82990/472-82991/472-82992/NA/ 765149/765156 /765164/765172/765180/696047/490616/490617/490618/490619/490620 /516005) Does not affect existing traffic. City Council approval date: 3/30/1999. (District V)

Nat'l Builders - \$1,198,000

Lateral 380, Southwest Interceptor Sewer to serve Oak Ridge Second Addition - north of 29th Street North, east of Tyler. (468-82724/743817/480505) Does not affect existing traffic. City Council approval date: 7/15/1997. (District V)

Utility Contractors - \$18,330

Water distribution system to serve Oak Ridge Second Addition - north of 29th Street North, east of Tyler. (448-89154/734946/470616) Does not affect existing traffic. City Council approval date: 7/15/1997. (District V)

WBW Contractors - \$12,180

Lateral 38, Main 15, Southwest Interceptor Sewer to serve Unplatted Tract (north of 21st Street North, east of Ridge) (468-82995/743801/480489) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date June 8, 1999. (District V)

WB Carter Construction - \$21,226

Water distribution system to serve Wilderness at the Park Addition - south of Pawnee, east of Maize Road. (448-88749/734934/470604) Does not affect existing traffic. City Council approval date: 6/8/99. (District V)

Dondlinger & Sons - \$12,000

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 140

WATER & SEWER DEPARTMENT/PRODUCTION & PUMPING DIVISION: Liquid Chlorine – One Ton Containers. (183632)

HCl Advance Chemical - \$360 (Cost per ton)

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

LICENSE APPS.

APPLICATION FOR LICENSE FOR ADULT ENTERTAINMENT ESTABLISHMENTS/SERVICES.

Renewal – Escort Service: 2000

Miracle A. Watson Betti Le Boop 5860 South Broadway

Motion -- carried Knight moved that the licenses be approved subject to Staff approval. Motion carried 7 to 0.

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal 2000</u>	<u>2000</u>	<u>(Consumption off Premises)</u>
Rodney L. Steven II	Genesis Health Club	6100 East Central, Building #3
Mark A. Boswell	Midway Oil Co. #1	3448 West Douglas
Mark A. Boswell	Midway Oil Co. #3	4001 South Seneca
Mark A. Boswell	Midway Oil Co. #4	10409 West Maple
Mark A. Boswell	Midway Oil Co. #6	1535 East Pawnee
Mark A. Boswell	Midway Oil Co. #8	2199 North Woodlawn
Rick Brazile	Sam's West, Inc. dba Sam's Club #6418	3415 North Rock Road
Chris Salove	Albertsons #2212	8714 West 13th Street
Chris Salove	Albertsons #2213	1607 South Georgetown
Chris Salove	Albertsons #2214	3137 South Seneca
Chris Salove	Albertsons #2250	1910 West 21st North
<u>New Establishment</u>	<u>2000</u>	<u>(Consumption on Premises)</u>
Kimberly A. Gibson	Braeburn Golf Course at WSU*	4201 East 21st Street
Nhung Nyugen	My Canh Restaurant*	3205 East 31 Street South
Vongduane Sengseevong	Vientiane Oriental Restaurant*	3141 South Hillside, Suite #5
<u>New Operator</u>	<u>2000</u>	<u>(Consumption on Premises)</u>
Mary H. San Miguel	Un Ratito Lounge	3537 North Broadway

*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

Motion -- carried Knight moved that the licenses be approved subject to Staff approval. Motion carried 7 to 0.

PLANS AND SPECS.

PLANS AND SPECIFICATIONS:

- a. 33rd Street North Bridge at West Drain - north of 29th Street North, west of Broadway. (87 N-0121-01/472-83046/448-89346/715679/636079/240087/779159) Bridge to be closed to traffic. City Council approval date: 1/11/2000. (District VI)

Motion -- Knight moved that the Plans and Specifications be approved and advertised for bids to be submitted to the Board of
-- carried Bids and Contracts by 10:00 a.m., March 3, 2000. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 141

- b. Lincoln Street Bridge over Dry Creek - east of Oliver at Lincoln. (87 N 0124-01/472-83043/448-89448/715680/635604/240880/769664) Bridge to be closed to traffic during construction. City Council approval date: 1/11/2000 (District II & III)

Motion --
-- carried

Knight moved that the Plans and Specifications be approved and advertised for bids to be submitted to the Board of Bids and Contracts by 10:00 a.m., March 10, 2000. Motion carried 7 to 0.

SUBDIVISION PLANS AND SPECIFICATIONS.

- c. Hickory Creek from the south line of Lot 49, Block 2, south to the south line of Lot 51, Block 2; Harvest Lane from the south line of Lot 51, Block 2 east to the east line of Harvest Lane Court (Lots 1 through 5, Block 7); Harvest Lane from the most easterly corner of Lot 51, Block 2, west to the west line of the plat; Harvest Lane Court (Lots 53 through 57, Block 2) from the north line of Harvest Lane, north to and including the cul-de-sac; Harvest Lane Court (Lots 1 through 5, Block 7), (Lots 6 through 14, Block 7), (Lots 15 through 21, Block 7), (Lots 22 through 28, Block 7) from the south line of Harvest Lane, south to and including the cul-de-sac to serve Hickory Creek Addition - south of 13th, west of 119th Street West. (472-83183/765614/490725) Does not affect existing traffic. City Council approval date: 01/25/2000. (District V)

- d. Storm Water Sewer No. 453 to serve Kansas Surgery and Recovery Center Addition - east of Webb, south of K-96. (468-82394/751281/485172) Does not affect existing traffic. City Council approval date: 05/17/1994. (District II)

Motion --
-- carried

Knight moved that the Plans and Specifications be approved and advertised for bids to be submitted to the Board of Bids and Contracts by 10:00 a.m., February 4, 2000. Motion carried 7 to 0.

PRELIMINARY EST.

PRELIMINARY ESTIMATES:

- a. 1999 sanitary sewer reconstruction program - Phase 8 - at various locations. (468-83054/620276/669401) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: January 26, 1999. (Districts II, III and VI) - \$128,300.00

- b. Paving Mead from Douglas to First Street - Mead, north of Douglas. (472-82855/764522/490555) Access shall be provided through construction. City Council approval date: August 12, 1997. (District VI) - \$950,000.00

- c. Waterline replacement, Mead from Douglas to First Street - Mead, north of Douglas. (448-89217/634915/544146) Access shall be provided through construction. City Council approval date: August 12, 1997. (District VI) - \$65,000.00

- d. Water line in Market from First Street North to Central - west of Broadway, south of Central. (448-89352/636087/779167) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: June 22, 1999. (District VI) - \$352,500.00

- e. Water distribution system to serve Belriv Addition - north of Kellogg, west of 159th Street East. (448-89395/734941/470611) Does not affect existing traffic. City Council approval date: June 8, 1999. (District II) - \$72,000.00

- f. 2000 utility cut repair of streets, driveways, and sidewalks - at various locations. (/132035/) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: August 10, 1999. (District all) - \$1,200,000.00

- g. Lateral 21, Cowskin Interceptor Sewer to serve Auburn Hills Clubhouse and Auburn Hills Commercial Second Additions - west of 135th Street West, south of Maple Street. (468-82982/743794/480482) Does not affect existing traffic. City Council approval date: April 6, 1999. (District V) - \$32,000.00

- h. Water distribution system to serve Wilderness at the Park Addition - south of Pawnee, east of Maize Road. (448-88749/734934/470604) Does not affect existing traffic. City Council approval date: 6/8/99. (District V) - \$29,000.00

Motion -- carried

Knight moved that the Preliminary Estimates be approved and filed. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 142

DEEDS/EASEMENTS

DEEDS AND EASEMENTS:

- a. Utility easement dated December 2, 1999, from Pat's Rentals, Inc., a Kansas corporation, for a tract of land in Lot 1, Block 2, Kessler-Koch Addition, Wichita, Sedgwick County, Kansas. (Private Project, OCA# 607681) No cost to City.
- b. Utility easement dated December 6, 1999, from Bullock Garages, Inc., an Illinois corporation, for a tract of land in Lot 1, Block 2, Kessler-Koch Addition, Wichita, Sedgwick County, Kansas. (Private Project, OCA# 607681) No cost to City.
- c. Sanitary sewer easement dated January 10, 2000, from the Board of Park Commissioners, for a tract of land in the SW 1/4 Sec. 28, Twp. 27S, R-1-E of the 6th P.M., Sedgwick County, Kansas. (Lincoln Park Sanitary Sewer Replacement, OCA# 715572) No cost to City.

Motion -- carried

Knight moved that the documents be received and filed. Motion carried 7 to 0.

STATEMENT OF COST

STATEMENT OF COST.

- a. AMENDED - Improving water distribution system to serve Uplatted Tracts and Maize, State Bank Addition - north of 51st Street North, west of Little Arkansas River. Total Cost - \$854,056.00 (plus idle fund interest - \$14,401.03, plus temporary note interest - \$57,077.97). Financing to be issued at this time - \$925,535.00. (734186/448-89215/470-496)

Motion -- carried

Knight moved that the Statement of Cost be approved and filed. Motion carried 7 to 0.

PAVING PETITION

PETITION TO PAVE HICKORY CREEK AND HARVEST LANE IN HICKORY CREEK ADDITION - SOUTH OF 13TH, WEST OF 119TH WEST. (District V)

Agenda Report No. 00-0068.

The signature on the Petition represents one owner that owns 100% of the improvement district.

Hickory Creek Addition, a new single-family development, was platted in 1995. The developer has submitted a new Petition to rephrase the development to accommodate a change in the home sales rate.

The Petition totals \$289,000. The funding source is special assessments.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO.R-00-015

Resolution of findings of advisability and Resolution authorizing improving of Hickory Creek from the south line of Lot 49, Block 2, south to the south line of Lot 51, Block 2; Harvest Lane from the south line of Lot 51, Block 2, east to the east line of Harvest Lane Court (Lots 1 through 5, Block 7); Harvest Lane from the most easterly corner of Lot 51, Block 2 west to the west line of the Plat; Harvest Lane Court (Lots 53 through 57, Block 2), from the north line of Harvest Lane, north to and including the cul-de-sac; Harvest Lane Court (Lots 1 through 5, Block 7), (Lots 6 through 14, Block 7), (Lots 15 through 21, Block 7), (Lots 22 through 28, Block 7) from the south line of Harvest Lane, south to and including the cul-de-sac, Hickory Creek Addition (south of 13th, West of 119th Street West), Project No. 472-83183, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 143

SEWER PETITION

PETITION TO CONSTRUCT SANITARY SEWER TO SERVE AN UNPLATTED TRACT NORTH OF 35TH STREET NORTH, WEST OF BROADWAY. (District VI)

Agenda Report No. 00-0069.

The Petition has been signed by one owner, representing 100% of the improvement district.

This project will provide sanitary sewer service to a residential property.

The estimated project cost is \$6,000. The funding source is special assessments.

Motion --
-- carried

Knight moved that the Petition be approved and the Resolution be adopted; and the Staff Screening and Selection Committee be authorized to select a design engineer. Motion carried 7 to 0.

RESOLUTION NO.R-00-017

Resolution of findings of advisability and Resolution authorizing construction of Lateral 139 Main 4, Sanitary Sewer #23 (north of 35th Street North, west of Broadway), Project No. 468-83061 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

SEWER PETITION

PETITION TO CONSTRUCT SANITARY SEWER TO SERVE PART OF CEDARVALE ACRES ADDITION - EAST OF WASHINGTON, NORTH OF 47TH STREET SOUTH. (District III)

Agenda Report No. 00-0070.

The Petition has been signed by ten owners, representing 100% of the improvement district.

This project will provide sanitary sewer service to a residential neighborhood.

The estimated project cost is \$30,000. The funding source is special assessments.

Motion --
-- carried

Knight moved that the Petition be approved and the Resolution be adopted; and the Staff Screening and Selection Committee be authorized to select a design engineer. Motion carried 7 to 0.

RESOLUTION NO. R-00-018

Resolution of findings of advisability and Resolution authorizing construction of Lateral 89, Main 1, Southwest Interceptor Sewer (east of Washington, north of 47th Street South), Project No. 468-83059, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

SEWER PETITION

PETITION FOR SANITARY SEWER TO SERVE AERO ADDITION - SOUTH OF I-235 SOUTH, EAST OF MERIDIAN. (District IV)

Agenda Report No. 00-0071.

The Petition has been signed by one owner, representing 100% of the improvement district.

This project will provide sanitary service to a commercial property.

The estimated project cost is \$8,000. The funding source is special assessments.

Motion --
-- carried

Knight moved that the Petition be approved and the Resolution be adopted; and the Staff Screening and Selection Committee be authorized to select a design engineer. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 144

RESOLUTION NO.R-00-019

Resolution of findings of advisability and Resolution authorizing construction of Lateral 54, Main 3, Southwest Interceptor Sewer, (south of I-235 South, east of Meridian, 468-83060, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

BOARDS MINUTES

MINUTES OF ADVISORY BOARDS/COMMISSIONS:

Board of Code Standards and Appeals, 12-6-99
Board of Health, 12-09-99
CPO Southwest Council 4, 12-23-99
Sister Cities Advisory Board, 12-3-99
Wichita Historic Preservation Board, 11-15-99
Wichita Public Library, 12-21-99

Motion -- carried

Knight moved that the Minutes be received and filed. Motion carried 7 to 0.

STREET CLOSURES

CONSIDERATION OF STREET CLOSURES/USES.

There were no street closures considered.

CLAIMS ALLOWED

REPORT ON CLAIMS ALLOWED – DECEMBER 1999:

<u>Name of Claimant</u>	<u>Amount</u>
Kenneth E. Cole	\$200.00*
Elizabeth A. Chastain	\$524.00*
Margaret Rader	\$103.90
SW Bell	\$5,675.10#
Mary A. Nicholson	\$1,059.00
Pollard-Licklider Clinic	\$8,846.87#
Kent C. Steiner, Jr.	\$147.51
Geico Direct	\$5,786.20#

*Settled for a lesser amount than claimed.
#Approved by the City Manager.

Motion -- carried

Knight moved that the Report be received and filed. Motion carried 7 to 0.

LEGAL SERVICES

AMENDMENT TO AGREEMENT FOR LEGAL SERVICES.

Agenda Report No. 00-0072.

The City has retained Edward J. Heath Jr. to provide legal services in connection with workers compensation claims, litigation, and related assignments.

The original contract provided for compensation not to exceed \$60,000, and was amended to allow an additional \$60,000 in compensation. This will be the second amendment, in the amount of \$60,000 which will extend the term of the contract through December 31, 2000.

Payment will be from the Workers Compensation fund.

Motion --
--carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 145

LA PETITE

CONTRACT AMENDMENT – LA PETITE ACADEMY, INC.

Agenda Report No. 00-0073.

On October 10, 1995 the City Council approved a contract with La Petite Academy, Inc., to operate the day care center at 430 N. Waco, providing child care services for dependents of city employees at rates below that provider's regular rates.

The original contract was for a two-year period ending December 31, 1997 with an option to extend for three additional one-year periods. It was extended for two years to include 1998 and 1999 and this amendment before the Council exercises this option to extend for one additional year. It also revises the rates as provided in the original contract. Rates for full time day care for children of City employees will increase by \$2.00 per week or about 2.5%.

The contract amendment contains no financial changes that affect the City of Wichita.

Motion --
--carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

KDOT

AGREEMENT - SENECA AND MAPLE INTERSECTION. (District IV)

Agenda Report No. 00-0074.

The intersection of Seneca and Maple was included in the 1998 Capital Improvement Program as part of the Intersection Reconstruction Program (CIP No. MS-412), which was approved by the City Council on February 24, 1998.

The Kansas Department of Transportation (KDOT) has agreed to participate in the project funding. A City/State Agreement has been prepared.

The project consists of constructing left turn lanes, upgrading traffic signals, and landscaping. Construction is expected to begin this spring.

The estimated project cost is \$1,500,000. KDOT will pay 80 percent of the cost of construction and construction engineering. The funding source for the City share is General Obligation Bonds.

Motion --
--carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

DESIGN SERVICES

DESIGN CONTRACTS: ARTERIALS AND BRIDGES PROGRAM. (Districts I, III, and V)

Agenda Report No. 00-0075.

On August 10, 1999, the City Council authorized the Staff Screening and Selection Committee to select design engineers for the 2000 Arterials and Bridges Program. On November 3, 1999, the Staff Screening and Selection Committee selected consulting firms to perform the design engineering for the CIP projects, associated petitioned projects, and incidental water and sewer lines.

Following is the list of projects, the firm selected for each project and the maximum fee allowed by the Agreements.

<u>LOCATION/DESCRIPTION</u>	<u>CONSULTANT</u>	<u>FEE</u>
Central, Maize to Tyler & Central Bridge	TranSystem	\$107,959
Wichita, Lewis to Dewey	Baughman	\$ 42,000
George Washington Blvd & Mt. Vernon	Kaw Valley	\$ 19,960

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 146

The design fees total \$169,919. The funding source is General Obligation Bonds.

Motion --
--carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

KDOT

AGREEMENT FOR INSTALLATION OF RAILROAD SIGNALS. (District IV)

Agenda Report No. 00-0076.

Representatives of the City, Kansas Department of Transportation (KDOT), and railroad company reviewed the Central Kansas Railway crossing of McLean Boulevard, south of Lincoln, to determine the possible need for signalization improvements. As a result of this review, KDOT recommended revisions to the crossing signalization system, including the installation of new train detection circuitry, new cantilever signals and gates, and directional horns, and began the process to accomplish these revisions.

The Agreement will authorize the recommended signal revisions. The City's responsibility in this project will be limited to the maintenance of the advance warning signs that presently exist. The Agreement also requires the closure of the railroad crossing on Osage, north of Walker, which has already been accomplished.

The total cost of the project, estimated to be \$168,000, will be funded 100% from Federal Funds. There is no cost to the City.

Motion --
--carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CONSTRUCT. ENG.

SUPPLEMENTAL AGREEMENT- STAKING AND CONSTRUCTION ENGINEERING SERVICES FOR RIDGE PORT NORTH ADDITION - SOUTH OF 37TH, EAST OF RIDGE. (District V)

Agenda Report No. 00-0077.

The City Council approved the Ridge Port North Addition plat on May 25, 1999. On September 14, 1999, the City approved an Agreement with Baughman Company, P. A. to design the improvements. The Design Agreement with Baughman requires Baughman to provide construction engineering services if requested by the City.

The proposed Supplemental Agreement between the City and Baughman provides for the staking and construction engineering services for the improvements in Ridge Port North Addition. Due to the current workload created by previous projects, City crews are not available to perform the construction engineering services for this project.

Payment will be on a lump sum basis of \$28,200, and will be paid by special assessments.

Motion --
--carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

KDOT

SUPPLEMENTAL AGREEMENT - GYPSUM CREEK BICYCLE PATH FROM CESSNA PARK TO TURNPIKE DRIVE. (District III)

Agenda Report No. 00-0078.

On November 28, 1996, the City Council approved an Agreement with the Kansas Department of Transportation (KDOT) for a bike path.

As of December 16, 1999, the Kansas Department of Transportation (KDOT), is required, under the Comprehensive Transportation Program (CTP) to collect and record total actual costs of all work phases of projects. This includes local agency Federal-aid and State-aid projects that included any non-participating, pre-construction local agency costs such as preliminary engineering (plan design), rights of way and utility adjustments. As a result, the City/State Agreement on file for this project is being revised to add language related to the non-participating cost.

The proposed bike path will connect to a bike path north of Cessna Park and will go south to Turnpike Drive.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 147

KDOT will reimburse the City for 80% of the cost of construction and construction engineering services. The funding source for the City's share is General Obligation Bonds.

Motion --
--carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

KDOT

SUPPLEMENTAL AGREEMENT - K-96 BICYCLE PATH, OLIVER TO EAST CITY LIMITS. (Districts I and II)

Agenda Report No. 00-0079.

On March 16, 1996, the City Council approved an Agreement with the Kansas Department of Transportation (KDOT) for a bike path along K-96 Expressway.

As of December 16, 1999, the Kansas Department of Transportation (KDOT), is required, under the Comprehensive Transportation Program (CTP) to collect and record total actual costs of all work phases of projects. This includes local agency Federal-aid and State-aid projects that included any non-participating, pre-construction local agency costs such as preliminary engineering (plan design), rights of way and utility adjustments. As a result, the City/State Agreement on file for this project is being revised to add language related to the non-participating cost.

The proposed bike path will be constructed from a point near 29th and Oliver, through Chisholm Creek Park, and along the south side of K-96 to a point about a half mile east of Webb Road.

KDOT will reimburse the City for 80% of the cost of construction and construction engineering services. The funding source for the City's share is General Obligation Bonds.

Motion --
--carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

(Item No. 17 i)

KDOT

SUPPLEMENTAL AGREEMENT - KANSAS AVIATION MUSEUM RENOVATION. (District III)

Mayor Knight

Mayor Knight declared a conflict of interest and abstained from participation on this Item.

Agenda Report No. 00-0080.

On October 13, 1998, the City Council approved an Agreement with the Kansas Department of Transportation (KDOT) for the renovation of the former Wichita Municipal Air Terminal. KDOT agreed to pay 80% of the renovation cost. "The Kansas Aviation Museum, Inc.", operator of the facility, agreed to pay the balance, and the City agreed to administer the project.

As of December 16, 1999, the Kansas Department of Transportation (KDOT), is required, under the Comprehensive Transportation Program (CTP) to collect and record total actual costs of all work phases of projects. This includes local agency federal-aid and state-aid projects that included any non-participating, pre-construction local agency costs such as preliminary engineering (plan design), rights of way and utility adjustments. As a result, the City/State Agreement on file for this project is being revised to add language related to the non-participating cost.

The work consists of exterior wall repairs, roof repairs, restoration of windows and doors, control tower rehabilitation, and repair of the flight observation decks.

The project budget is \$522,000, with \$417,600 to be paid by KDOT and \$104,400 to be paid by the Museum Foundation.

Motion --
--carried

Cole moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 6 to 0. (Knight abstained)

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 148

KDOT

SUPPLEMENTAL AGREEMENT - I-235 LANDSCAPING FROM 13TH STREET NORTH TO BROADWAY. (District VI)

Agenda Report No. 00-0081.

On March 26, 1996, the City Council approved an Agreement with the Kansas Department of Transportation (KDOT) for landscaping the right-of-way along I-235, from 13th Street North to Broadway.

As of December 16, 1999, the Kansas Department of Transportation (KDOT), is required, under the Comprehensive Transportation Program (CTP) to collect and record total actual costs of all work phases of projects. This includes local agency Federal-aid and State-aid projects that included any non-participating, pre-construction local agency costs such as preliminary engineering (plan design), rights of way and utility adjustments. As a result, the City/State Agreement on file for this project is being revised to add language related to the non-participating cost.

The project will provide trees, shrubs, and wildflower plantings in the freeway right-of-way.

KDOT will reimburse the City for 80% of the cost of construction and construction engineering services. The funding source for the City's share is General Obligation Bonds.

Motion --
--carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

RESPREAD SPECIALS

AGREEMENT TO RESPREAD ASSESSMENTS: REGENCY PARK ADDITION – SOUTH OF 29TH STREET NORTH AND WEST OF GREENWICH ROAD. (District II)

Agenda Report No. 00-0082.

The developer, Regency Park of Wichita, L.L.C., platted Regency Park Addition and has submitted an Agreement to respread special assessments within the addition.

The land was originally included in several improvement districts for a number of public improvement projects. The purpose of the Agreement is to respread special assessments on an equal share basis for each lot. Without the Agreement, the assessments will be spread on a square foot basis. The agreement will equalize the assessments for each lot, making it easier for the developer to market the lots.

There is no cost to the City.

Motion --
--carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

TRANSIT SERVICE

TRANSIT SERVICE AGREEMENT FOR OAKLAWN IMPROVEMENT DISTRICT.

Agenda Report No. 00-0083.

For the past several years Wichita Transit has provided fixed route and paratransit van service to the Oaklawn Improvement District. Currently, Sedgwick County reimburses Wichita Transit for the actual cost of providing such service according to a year-by-year contractual agreement. The purpose of this action is to establish the contractual agreement for fiscal year 2000.

Wichita Transit operates one fixed route which provides service to the Oaklawn area. Paratransit service is also provided to Oaklawn based on ADA guidelines (which require service in areas in which fixed route service is provided). In FY 2000, an estimated 695 hours of fixed route service will be provided. The estimated hourly cost for this service (netting out passenger revenue) is \$31.00. Paratransit service cost (net passenger revenue) is estimated \$13.50 per trip, with an estimated 288 trips to be provided in fiscal year 2000.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 149

Based on the projected service levels, the total projected revenue from the FY 2000 agreement will be \$25,432. The Adopted FY 2000 Budget includes the expenditure authority necessary to provide the service.

Motion --
--carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

TREE PLANTING

TREE PLANTING AGREEMENT – COLLEGE HILL AND SCHWEITER PARKS. (District II)

Agenda Report No. 00-0084.

The Department of Park and Recreation propose that the City of Wichita enter into an agreement with Natural Tree Source, Inc., allowing this firm to perform tree planting services in College Hill and Schweiter Parks. Both parks experienced heavy damage to trees as a result of the tornado that swept through Wichita in 1999.

In March, 1999, the City of Wichita submitted a grant proposal to the Forrest C. Lattner Foundation, seeking funding for planting trees in various parks in Wichita. Originally the parks designated for additional trees were those parks earmarked for new playground equipment in 2000. City funds were designated for the purchase and installation of the playground equipment; however, private funds were to be secured for landscape improvements to enhance these sites. In June, 1999, confirmation was received from the Forrest C. Lattner Foundation that the City of Wichita had been awarded a \$35,000 grant for this purpose.

In May, 1999, a massive tornado hit parts of the city, causing massive destruction to trees, especially in College Hill and Schweiter Parks. Consequently, it was decided that funds received from the Lattner Foundation would be better utilized by planting replacement trees in these two parks.

The agreement allows the City of Wichita to contract with Natural Tree Source, Inc. for tree planting services in College Hill and Schweiter Parks, for the sum of \$35,000.

A grant award received by the City of Wichita from the Forrest C. Lattner Foundation in the amount of \$35,000 will provide the funding for this project.

Motion --
--carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

YMCA

CONTRACT AMENDMENT - YOUNG MEN'S CHRISTIAN ASSOCIATION – YOUTH ALLIANCE PROGRAM.

Agenda Report No. 00-0085.

On December 21, 1999, the City Council approved a CDBG Youth Alliance Program contract between the Young Men's Christian Association (YMCA) and the City of Wichita. It was discovered that the language in the contract would not allow reimbursement of agency expenses prior to November 1, 1999.

The grant was approved for the proposed Youth (Recreation) Alliance, a consortium of service agencies involved in recreation and teaching to administer after school programs for middle-school aged youth. The YMCA is the coordinating agency for carrying out the activities of the program. The term for providing these services was supposed to be for ten months beginning September 1, 1999 and ending June 30, 2000. The contract amendment corrects the beginning date of the contract to correspond with the program start date.

This amendment does not change the funding amount approved for this program.

Motion --
--carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 150

DESIGN SERVICES

AGREEMENT FOR DESIGN SERVICES - 26TH STREET NORTH, ARKANSAS TO WICHITA STREET. (District VI)

Agenda Report No. 00-0086.

The City Council approved the project on November 9, 1999.

The proposed Agreement between the City and Certified Engineering Design provides for the design of 26th Street North, from Arkansas to Wichita Street. The Staff & Selection Committee selected Certified Engineering for the design on December 13, 1999.

Payment will be on a lump sum basis of \$12,076, and will be paid by special assessments.

Motion --
--carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

BUILDING REPAIRS

FORMER ARTS & CRAFTS CENTER REPAIRS AND MODIFICATIONS. (District VI)

Agenda Report No. 00-0087.

The building located at 2601 North Arkansas that previously housed the Arts and Crafts Center has sat vacant since the Park Department relocated this function to its new home on Lewis Street. Community Development Block Grant Funds in the amount of \$75,000 have been established to perform repairs and renovations to the building at 2601 N. Arkansas. On April 23, 1999 the City of Wichita and SER Corporation entered a Lease Agreement for the building.

Work is needed to maintain and preserve the property for use. In order to clearly identify the modifications needed to properly accommodate future use, architectural services are needed. Expressions of interest were requested from local architectural firms. Randal Steiner was the only firm to respond. Staff has negotiated a Contract with Mr. Steiner, which provides for condition analysis and planning in concert with SER Corporation and the City of Wichita. The Contract also provides for the consultant to provide architectural drawings, specifications, and project monitoring.

A Community Development Block Grant has been established for the project in the amount of \$75,000. The Contract with Randal Steiner is in the amount of \$9,500 for the initial phases, and 6% of construction costs for the remaining work.

Motion --
--carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CONSTR. ENG.

CONSTRUCTION ENGINEERING AGREEMENT - 55TH STREET SOUTH BRIDGE AT BIG SLOUGH. (District IV)

Agenda Report No. 00-0088.

On May 19, 1998, the City Council approved a project to replace the 55th Street South Bridge at Big Slough. The project is financed by a combination of City General Obligation Bonds and Federal Grants administered by the Kansas Department of Transportation (KDOT). On August 3, 1999, the City Council approved the project for construction. An Agreement between the City and KDOT for construction engineering services has been prepared.

The existing bridge has a reduced sufficiency rating that indicates major repairs or replacement will be required within the next ten years. Construction is expected this spring.

The estimated project cost is \$615,000. KDOT will reimburse the City for 80 percent of the cost for construction engineering services, which has an upper limit of \$61,964.46.

Motion --
--carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 151

KDOT

CONSTRUCTION ENGINEERING AGREEMENT- LINCOLN STREET BRIDGE AT DRY CREEK. (Districts II and III)

Agenda Report No. 00-0089.

On May 19, 1998, the City Council approved a project to rehabilitate the Lincoln Bridge over Dry Creek. The project is financed by a combination of City General Obligation Bonds and Federal Grants administered by the Kansas Department of Transportation (KDOT). On August 3, 1999, the City Council approved the project for construction. An Agreement between the City and KDOT for construction engineering services has been prepared.

The existing bridge has experienced significant deterioration, which needs to be repaired. Construction is expected to begin in the spring.

The estimated project cost is \$670,000. KDOT will reimburse the City for 80 percent of the cost for construction engineering services, which has an upper limit of \$66,979.34.

Motion --
--carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

DESIGN SERVICES

AGREEMENT FOR DESIGN SERVICES - WATER DISTRIBUTION SYSTEM - BETWEEN 63RD AND 57TH STREETS SOUTH, WEST OF RIVERSIDE DRAINAGE DITCH. (District III)

Agenda Report No. 00-0090.

The City Council approved the project on October 12, 1999.

The proposed Agreement between the City and Mid-Kansas Engineering Consultants, Inc. (MKEC) provides for the design of Water Distribution System No. 448 89423. The Staff & Selection Committee selected MKEC for the design on November 30, 1999.

Payment will be on a lump sum basis of \$48,790, and will be paid by special assessments.

Motion --
--carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

NIC ADDENDUM

NORTH INDUSTRIAL CORRIDOR - ADDENDUM TO PARTICIPATION AGREEMENT.

Agenda Report No. 00-0091.

The City entered into a Settlement Agreement with the Kansas Department of Health and Environment (KDHE) November 14, 1995, under which the City agreed to complete the investigation and remediation of the North Industrial Corridor (NIC) Site. A portion of the NIC site, the former "29th & Mead Site," was taken off the list as an EPA Superfund Site in April, 1996, as a result of the City of Wichita's agreement. As part of the Project, a group of 26 area businesses agreed to assist in the funding of the investigation and to participate in the allocation of their fair share of responsibility for the total costs of the Site. This Participation Agreement was approved by the City Council on May 21, 1996.

The Environmental Protection Agency (EPA) subsequently demanded payment of past oversight costs it claims to have incurred at the 29th & Mead Site. The City and 10 businesses in the Site have reached an agreement with EPA on a reimbursement plan that was approved by the City Council on April 27, 1999. The City agreed to pay initially a portion of the oversight costs not to exceed \$125,000 plus interest from the NIC Tax Increment Financing budget, subject to the later allocation of the costs to the responsible parties when the project is complete. The agreement between the City and the other participants needs to be amended to reflect this agreement on reallocation.

The First Addendum to the Participation Agreement addresses the prior agreement to pay the oversight costs assessed by EPA. Each of the parties agrees to enter into a consent decree and to pay their agreed share of the oversight costs. The Addendum provides for the ultimate reallocation of these costs on the same basis as other investigation and remediation costs of the NIC Site.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 152

The oversight costs paid by the City and the other parties will be reallocated to the responsible parties when Project is completed.

Motion --
--carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

(Item No. 17u)

DEPT OF HUMAN RES. KANSAS DEPARTMENT OF HUMAN RESOURCES - ONE-STOP IMPLEMENTATION.

This Item was removed from the Agenda.

INTERSECTION IMP. 2000 INTERSECTION IMPROVEMENT PROGRAM. (Districts I, III, V, and VI)

Agenda Report No. 00-0093.

The 2000 Capital Improvement Program includes funds to improve four intersections (CIP No. MS-230001, page 70).

The intersections to be reconstructed are:

13th Street at Hydraulic
George Washington Blvd. at Mt. Vernon
21st Street at Arkansas Avenue
9th Street at Tyler

The program budget is \$2,100,000, with \$1,000,000 paid by the City and \$1,100,000 paid by Federal Grants administered by the Kansas Department of Transportation. The funding source for the City share is General Obligation Bonds.

Motion --
-- carried

Knight moved that the project be approved and the Ordinance be placed on first reading; and the necessary signatures be authorized. Motion carried 7 to 0.

ORDINANCE

An Ordinance declaring the intersections of 13th Street North at Hydraulic George Washington Boulevard at Mt. Vernon, 21st Street North at Arkansas Avenue, and 9th Street North at Tyler, (2000 Intersection Improvement Program) 472-83184, to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, introduced and under the rules laid over.

ARTERIAL STREETS 2000 ARTERIAL STREET CORRIDOR IMPROVEMENT PROGRAM. (Districts I, II, and V)

Agenda Report No. 00-0094.

The 2000 Capital Improvement Program includes funds to improve arterial street corridors to relieve traffic congestion (CIP No. MS-200004, page 51).

The streets to be reconstructed are:

Central at Ridge Road
Central at Hillside
Rock Road and Kellogg Access Management

The program budget is \$4,900,000, with \$2,500,000 paid by the City and \$2,400,000 paid by Federal Grants administered by the Kansas Department of Transportation. The funding source for the City share is General Obligation Bonds.

Motion --
-- carried

Knight moved that the project be approved; the Ordinance be placed on first reading;; and the necessary signatures be authorized. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 153

ORDINANCE

An Ordinance declaring the intersections of Central Avenue at Ridge Road, Central Avenue at Hillside, and Rock Road from Harry to Kellogg (2000 Arterial Corridor Program), 472-83185, to be main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, introduced and under the rules laid over.

POOL RENOVATIONS SWIMMING POOL RENOVATIONS.

Agenda Report No. 00-0095.

Many of the swimming pools throughout the City are in need of repairs. Water filtration, water treatment, recirculation piping, diving boards, locker rooms, lighting, fencing, concrete, pool sealing, lifeguard stands, poolhouse repairs, deck coatings, painting and related work is needed. Work is planned for Country Acres, Aley, Edgemoor, Orchard, Linwood, Evergreen, Minisa, Harvest, McAdams and Boston.

The renovation work is needed to keep the swimming pools safe and operating properly.

The 2000 Capital Improvement Program, Project P-390013 has \$100,000 budgeted in year 2000 for this work.

Motion --carried

Knight moved that the project be approved; and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO.R-00-020

A Resolution finding it necessary to make certain improvements to swimming pools and various park facility improvements (Project No. P-390013) and authorizing the issuance of General Obligation Bonds by the City of Wichita at large, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

SOUTH LAKES SPORTS SOUTH LAKES SPORTS COMPLEX. (District IV)

Agenda Report No. 00-0096.

South Lakes Sports Complex is a 160-acre facility providing athletic events for softball and soccer users in local and regional athletic organizations. The complex currently consists of sixteen soccer fields, four-lighted softball diamonds, two concession/restroom buildings, and parking.

The addition of four lighted softball fields, concession/restroom building, bleachers, shade shelters, press boxes, plaza, fencing, additional parking areas and other related improvements are required to complete these facilities.

The 2000 – 2009 Capital Improvement Program (CIP) provides for \$717,000 in 2000 and \$482,000 in 2001 towards the completion of the facility (PB-390012, Project #398-108, OCA #785766).

Motion --
-- carried

Knight moved that the project be approved; the Resolution be adopted; and the Staff screening and selection committee be authorized to select a design consultant. Motion carried 7 to 0.

RESOLUTION NO. R-00-021

A Resolution authorizing the issuance of bonds by the City of Wichita at large for public improvements in South Lakes Park (472-82922), presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 154

SANITARY SEWER

SANITARY SEWER RESPONSE PLAN - SUPPLEMENTAL AGREEMENT.

Agenda Report No. 00-0097.

The Sewer Master Plan Study was completed in May 1992. Recommendations were made for improvements to the Sewer Utility system and operation. Among these recommendations was the need for a comprehensive sewer system analysis, and an inflow and infiltration (I&I) identification and elimination program.

As part of the previous six phases of the Sanitary Sewer Response Plan, George Butler Associates (GBA) performed field inspections and analyzed approximately 60% of the sanitary sewer system. GBA numbered all manholes and line segments, developed a comprehensive system inventory database, and developed a computerized map of the entire sewer system.

GBA inspected over 13,500 manholes, over 2.6 million feet of sewer line, and 20,970 buildings for illegal sump pump connections to the sanitary sewer system. They found over 1,800 buried manholes and over 3,600 inflow sources, including 969 suspected illegal sump pump connections, 436 stairwell drains, and over 1,000 manhole failures. Six interceptor projects and five collector relief projects were identified.

By identifying and removing the sources where storm water and groundwater enter the sanitary sewer system, the following results would be obtained:

1. a reduction in overloaded lines
2. lower treatment costs
3. fewer sewage backups into basements

This was illustrated in the fall of 1998 following a significant rain event when less than 20 backups were reported compared to approximately 350 in 1993.

As part of Phase VII, GBA will verify the location of 3,600 manholes, perform surface inspections of 3,600 manholes, smoke test 550,000 linear feet of sewer line, monitor and model a portion of the sewer collection system, and perform wet weather checks to find leaking manholes and sources of inflow and infiltration (I&I). Recommendations will be made for sanitary sewer rehabilitation, including the raising of buried manholes.

GBA will update the Automated Mapping/Facilities Management-Maintenance Management System (AM/FM-MMS). At the direction of Staff, enhancements will be developed for the system with hardware and software being purchased and installed. GBA will provide training and technical support.

The Sanitary Sewer Response Plan – Phase VII (CIP #S-300) is budgeted for \$900,000 in 2000 from revenue bond proceeds and/or Sewer Utility Cash Reserves.

Motion --
-- carried

Knight moved that the Agreement, project expenditures and Notice of Intent to Publish be approved; the Resolution be adopted; and the necessary signatures be authorized. Motion carried 7 to 0.

RESOLUTION NO. R-00-022

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend, and enlarge the water and sewer utility owned and operated by the City, and to issue revenue bonds in a total principal amount which shall not exceed \$900,000, exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Martz moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight

WATER MAINS

INSTALLATION OF WATER MAINS IN MAPLE STREET FROM 119TH STREET WEST TO 135TH STREET WEST. (District V)

Agenda Report. No. 00-0098.

The City of Wichita provides treated drinking water to 331,000 people. The service population is projected to increase to over 438,000 by 2010. To ensure that future water needs of the service area are met, the Water and Sewer Department initiated a study of its water system. The Water System Master Plan was updated in November 1999, and recommended a number of significant system improvements to ensure adequate service levels now and in the future.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 155

This project is recommended in the Water Master Plan to provide additional pressure and volume to the area west of 119th Street West. The proposed 16-inch water main will parallel an existing water main in Maple. The result will provide increased service to the area, allow increased water volume and pressure to the westerly portion of the Water Utility system, provide increased fire protection, and provide for development and growth in the area.

The Capital Improvement Program (CIP #W-561) budget is \$40,000 for 1999, and \$400,000 for 2000. This project will be funded from Water Utility revenues and reserves, or a future revenue bond issue.

Motion --
-- carried

Knight moved that the project expenditures and Notice of Intent be approved, and the Resolution be adopted.
Motion carried 7 to 0.

RESOLUTION NO. R-00-023

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend, and enlarge the water and sewer utility owned and operated by the City, and to issue revenue bonds in a total principal amount which shall not exceed \$440,000 exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Martz moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight

WATER MAINS

INSTALLATION OF WATER MAINS IN PAWNEE FROM WEBB ROAD TO GREENWICH. (District

Agenda Report No. 00-0099.

The City of Wichita provides treated drinking water to 331,000 people. The service population is projected to increase to over 438,000 by 2010. To ensure that future water needs of the service area are met, the Water and Sewer Department initiated a study of its water system. The Water System Master Plan was updated in November 1999, and a number of significant system improvements were recommended to ensure adequate service levels now and in the future.

This project will provide a continuous loop of water mains by constructing a water main along Pawnee from Webb to Greenwich from an existing main in Webb Road to an existing main in Greenwich. The result will provide service to adjacent developments, allow for increased water volume and pressure to the southeast portion of the Water Utility system, provide increased fire protection, and provide for development and growth in the area.

The Capital Improvement Program (CIP #W-558) budget is \$50,000 for the year 2000 and \$550,000 for the year 2001. This project will be funded from Water Utility revenues and reserves, or a future revenue bond issue.

Motion --
-- carried

Knight moved that the project expenditure and Notice of Intent be approved, and the Resolution be adopted.
Motion carried 7 to 0.

RESOLUTION NO. R-00-024

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend, and enlarge the water and sewer utility owned and operated by the City, and to issue revenue bonds in a total principal amount which shall not exceed \$600,000, exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Martz moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight

WATER LINE

INSTALLATION OF 66-INCH RAW WATER LINE FROM 21ST STREET AND ZOO TO THE WATER TREATMENT PLANT.

Agenda Report No. 00-0100.

The City of Wichita provides treated drinking water to 331,000 people. The service population is projected to increase to over 438,000 by 2010. To ensure that future water needs of the service area are met, the Water and

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 156

Sewer Department initiated a study of the City's water system. A study of the raw water delivery system was done and in July 1999, a report was submitted that made specific recommendations for system reliability and system upgrade.

This project is recommended in the report on Raw Water Delivery with 48-inch Pipeline Replacement, which was submitted in July of 1999. The report recommended the construction of a 66-inch raw water line to provide the maximum day demand in the event that the existing 48-inch raw water line from the equus beds well field was out of service. Construction of this line result will ensure transportation of adequate amounts of raw water to provide maximum daily demands for the City.

The Capital Improvement Program (CIP #W-807) budget is \$3 million for the year 2000, \$4 million for the year 2001, and \$5.6 million for the year 2002, with a total project cost of \$12.6 million. This project will be funded from Water Utility revenues and reserves, or a future revenue bond issue.

Motion --
-- carried

Knight moved that the project expenditure and Notice of Intent be approved, and the Resolution be adopted.
Motion carried 7 to 0.

RESOLUTION NO. R-00-025

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend, and enlarge the water and sewer utility owned and operated by the City, and to issue revenue bonds in a total principal amount which shall not exceed \$12.6 Million exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Martz moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight

WATER MAINS

INSTALLATION OF WATER MAINS IN 29TH STREET FROM TYLER ROAD TO MAIZE ROAD, AND IN MAIZE ROAD FROM 29TH STREET TO SOUTH OF 29TH STREET. (District IV)

Agenda Report No. 00-0101.

The City of Wichita provides treated drinking water to 331,000 people. The service population is projected to increase to over 438,000 by 2010. To ensure that future water needs of the service area are met, the Water and Sewer Department initiated a study of its water system. The Water System Master Plan was updated in November 1999, with a number of significant system improvements being recommended to ensure adequate service levels now and in the future.

This project is recommended to provide a continuous loop of water mains by constructing a 24-inch water main along 29th Street from Tyler Road to Maize Road, and a 16-inch water main along Maize Road from 29th Street to the existing water main south of 29th Street in Maize Road. The result will provide service to adjacent developments, allow for increased water volume and pressure to the northwest portion of the Water Utility system, fire protection, and provide for development and growth in the area.

The Capital Improvement Program (CIP #W-556) budget is \$100,000 for the year 2000, and \$900,000 for the year 2001. This project will be funded from Water Utility revenues and reserves, or a future revenue bond issue.

Motion --
-- carried

Knight moved that the project expenditure and Notice of Intent be approved, and the Resolution be adopted.
Motion carried 7 to 0.

RESOLUTION NO. R-00-026

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend, and enlarge the water and sewer utility owned and operated by the City, and to issue revenue bonds in a total principal amount which shall not exceed \$1,000,000 (\$1 Million), exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Martz moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 157

WATER MAINS

INSTALLATION OF WATER MAINS IN 37TH STREET NORTH, BETWEEN AMIDON AND ARKANSAS OVER THE LITTLE ARKANSAS RIVER. (District VI)

Agenda Report No. 00-0102.

The City of Wichita provides treated drinking water to 331,000 people. The service population is projected to increase to over 438,000 by 2010. To ensure that future water needs of the service area are met, the Water and Sewer Department initiated a study of its water system. The Water System Master Plan was updated in November 1999, and a number of significant system improvements were recommended to ensure adequate service levels now and in the future.

This project is recommended to provide additional pressure and volume to the area west of the Little Arkansas River. It will also provide an additional feed that will be required due to area demand. This will result in increased service to the area, allow increased water volume and pressure to the northerly portion of the Water Utility system, provide increased fire protection, and provide for development and growth in the area.

The Capital Improvement Program (CIP #W-560) budget is \$20,000 for 2000, and \$150,000 for 2001. This project will be funded from Water Utility revenues and reserves, or a future revenue bond issue.

Motion --
-- carried

Knight moved that the project expenditures and Notice of Intent be approved, and the Resolution be adopted.
Motion carried 7 to 0.

RESOLUTION NO. R-00-027

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend, and enlarge the water and sewer utility owned and operated by the City, and to issue revenue bonds in a total principal amount which shall not exceed \$170,000, exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Martz moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight

WATER MAINS

INSTALLATION OF WATER MAINS IN 119TH STREET WEST FROM MAPLE TO CARR. (District V)

Agenda Report No. 00-0103.

The City of Wichita provides treated drinking water to 331,000 people. The service population is projected to increase to over 438,000 by 2010. To ensure that future water needs of the service area are met, the Water and Sewer Department initiated a study of its water system. The Water System Master Plan was updated in November 1999, with a number of significant system improvements being recommended to ensure adequate service levels now and in the future.

This project is recommended to provide a continuous loop of water mains by constructing a 16-inch water main along 119th Street from Maple to Carr from an existing main in Maple, to an existing water main in Carr. The result will provide service to adjacent developments, allow for increased water volume and pressure to the west portion of the Water Utility system, provide increased fire protection, and provide for development and growth in the area.

The Capital Improvement Program (CIP #W-557) budget is \$40,000 for the year 2000, and \$400,000 for the year 2001. This project will be funded from Water Utility revenues and reserves, or a future revenue bond issue.

Motion --
-- carried

Knight moved that the project expenditure and Notice of Intent be approved, and the Resolution be adopted.
Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 158

RESOLUTION NO. R-00-028

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend, and enlarge the water and sewer utility owned and operated by the City, and to issue revenue bonds in a total principal amount which shall not exceed \$440,000, exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Martz moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight

WATER MAINS

DISTRIBUTION MAINS REPLACEMENT PROGRAM.

Agenda Report No. 00-0104.

A distribution mains replacement project is included in the ten-year Capital Improvement Program (CIP #W-67) to provide replacement water mains for the old leaking mains in the distribution system. Many water mains have been used beyond their design life and are vulnerable to leaking. Seventy percent (70%) of the water system leaks occur in galvanized water mains and this replacement project is targeted to replace these.

The mains to be replaced leak at a level 25 percent above the national average. Replacement of 2" mains with 8" and 6" mains will also provide improved water and fire service to citizens and save an estimated \$6,900 per mile of maintenance costs.

This project (CIP #W-67) is budgeted for \$3,000,000 in 2000 and will be funded from future revenue bonds and/or Water Utility cash reserves. The annual cost of maintaining mains is expected to be reduced by \$73,000 for each year of the project.

Motion --
-- carried

Knight moved that the project expenditure and Notice of Intent be approved, and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-00-029

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend, and enlarge the water and sewer utility owned and operated by the City, and to issue revenue bonds in a total principal amount which shall not exceed \$3,000,000 (\$3 Million), exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Martz moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight

EQUIPMENT

REPLACEMENT OF RADIOS FOR WATER AND SEWER SYSTEM REMOTE SITES.

Agenda Report No. 00-0105.

The Water and Sewer Department has a number of facilities that are used to produce and deliver water to the City, as well as a number of sanitary sewer lift stations. In order to monitor & operate these facilities from the Water Treatment Plant, radios are used to transmit information from those sites to a computer at the Treatment Plant. The system is called a Supervisory Control and Data Acquisition (SCADA) System. The first SCADA system was installed approximately 20 years ago. On June 8, 1999, the Council approved a project to replace all existing radios in the water system with new data radios that operate in the 900 MHz band range. The new radios would facilitate the addition of new sites that will be added as the water supply system expands. It was intended that the improvements to the SCADA radios would be completed as a design/build project.

The Purchasing Manager solicited responses to a Request for Proposals (RFP) for a design/build project to determine what antenna adjustments need to be made at each site, to provide new 900 MHz radios, and to install the radios and other equipment needed to make the new system operational. When this project was initiated, only the radios at the remote water facilities were included. Staff is recommending that the radios at the sanitary sewer lift stations also be converted to the 900 MHz system. This would increase the speed at which the stations are monitored and completely eliminate the older SCADA system.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 159

On December 15, 1999, responses were received from three firms: Shafer, Kline & Warren, Inc.; Southwestern Electrical Co., Inc.; and TEC Information Services. All of the proposals included replacing the sanitary sewer lift station radios. On the basis of their proposal, Staff recommends that TEC Information Services provide the services.

This project is budgeted in CIP W-597, Communication Equipment, for \$350,000. The lowest cost submitted from all responses was for \$358,768 by TEC Information Services with the possibility of an additional \$30,000 in associated expenses.

The sewer Capital Improvement Program does not have a budget for SCADA replacement. The cost for the sewer portion of the replacement is about 33% of the total cost, or about \$130,000. It is therefore recommended that CIP W-597 be reduced to \$260,000 to cover the water portion of the project. To fund the replacement of the radios for the sanitary sewer lift stations, it is recommended that CIP S-4 be reduced by \$130,000, and that a new project, CIP S-516 (SCADA Radio Replacement) be created.

City Council authorization is required for projects that exceed \$10,000.

Motion --

Knight moved that the proposal with TEC Information Services and the Notice of Intent to Publish be approved; the Purchasing Manager be authorized to issue a contract for services; the CIP be amended; the Resolution be adopted. Motion carried 7 to 0.

-- carried

RESOLUTION NO R-00-030

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend, and enlarge the water and sewer utility owned and operated by the City, and to issue revenue bonds in a total principal amount which shall not exceed \$130,000, exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Martz moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight

SANITARY SEWER

RECONSTRUCTION AND/OR REHABILITATION OF SANITARY SEWERS.

Agenda Report No. 00-0106.

The sanitary sewer system is maintained by the Sewer Maintenance Division of the Water & Sewer Department. Preventive maintenance includes the use of closed circuit cameras in evaluating the older sewer lines. The sewer lines that are in the worst condition are scheduled for reconstruction or rehabilitation.

The reconstruction and rehabilitation of sanitary sewers program helps eliminate stoppages, backups, failures, reduces inflow and infiltration into the system, reduces maintenance costs, and inconvenience to customers.

This project is included in the Capital Improvement Program (CIP #S-4) and is budgeted for \$3,000,000 in 2000. This project will be funded from future revenue bonds and/or Water Utility cash reserves.

Motion --

Knight moved that the project expenditure and Notice of Intent be approved, and the Resolution be adopted. Motion carried 7 to 0.

-- carried

RESOLUTION NO. R-00-031

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend, and enlarge the water and sewer utility owned and operated by the City, and to issue revenue bonds in a total principal amount which shall not exceed \$3,000,000 (\$3 Million), exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Martz moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 160

IRB - SOUTHCLIFF

TAXABLE INDUSTRIAL REVENUE BONDS AUTHORIZATION OF LEASE AMENDMENT AND ACKNOWLEDGMENT AND CONSENT OF ISSUER - SOUTHCLIFF SHOPPING CENTER ASSOCIATES.

Agenda Report No. 00-0107.

In 1997, the City of Wichita issued taxable industrial revenue bonds in the principal amount of \$1,322,795 to assist in financing certain facilities to be leased to Southcliff Shopping Center ("Southcliff") for sublease to A.M. Castle & Company. The form of the Lease document for the IRB Project included standard terms requiring City consent for certain assignments and requiring the tenant (a general partnership) to preserve its existence as a business entity. Now, the tenant seeks consent to assign its interest in the Lease an sublease to its partners, and also seeks a First Amendment to Lease in order to allow successor tenants to be either individuals or business entities.

The form of the First Amendment to Lease modifies the tenant's covenants to allow the tenant to be one or more individuals or business entities, rather than requiring it to be maintained as a partnership. Emprise Bank, Wichita, Kansas, as Trustee for the affected industrial revenue bonds, will consent to the First Amendment to Lease in its capacity as the Trustee and Assignee of the Lease. Emprise will also consent to the amendment in its capacity as holder of 100% of the Outstanding Bonds. In addition to the First Amendment to Lease, the tenant has requested the City to approve an Acknowledgment & Consent form, whereby the City will recognize and consent to the assignment of the Lease from Southcliff to its partners, jointly and severally.

Costs arising in relation to the need for passage and publication of the amending Ordinance will be born by the tenant, and not by the City.

Motion --
-- carried

Knight moved that the Ordinance be placed on first reading; the documents be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

ORDINANCE

An Ordinance authorizing execution and delivery of acknowledgement and consent of issuer and first amendment to lease, read for the second time, introduced and under the rules laid over.

BUDGET ADJUSTMENT **BUDGET ADJUSTMENT - 1999 YEAR-END.**

Agenda Report No. 00-0108.

At the close of fiscal year 1999, there are operating savings in several funds, including City-County funds. The City-County Flood Control operation budget was underspent by \$129,585. This budget is funded equally by the City and the County. The two governing bodies have the opportunity to redirect the savings to other flood control priorities.

Detailed engineering studies of the Cowskin Basin drainage improvements are scheduled to occur in early 2000. The adopted 2000 - 2009 Capital Improvement Program (CIP) contains \$1 million for Cowskin drainage improvement studies as a capital budget for 2000, to be funded equally by the City and County. It is proposed that the 1999 operating savings be redirected to help fund the drainage improvement studies.

All budget adjustments over \$10,000 require Council approval. The County will have to approve this action as well.

Motion -- carried

Knight moved that the budget adjustment be approved. Motion carried 7 to 0.

CONDEMNATIONS

REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURES.

Agenda Report No. 00-0109.

On November 1, 1999 the Board of Code Standards (BCSA) held a hearing on the following two (2) properties. These properties are considered dangerous and unsafe structures, and are being presented to schedule a condemnation hearing before the Governing Body.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 161

Improvement notices have been issued on these structures, however, compliance has not been achieved. Pre-condemnation and formal condemnation letters were issued and the time granted has expired. No action has been taken to repair or remove these properties.

<u>Address</u>	<u>District</u>
3345 East Roseberry	III
3341 East Munger	III

These structures have defects that under Ordinance No. 28-251 of the Code of the City of Wichita, shall cause them to be deemed as dangerous and unsafe buildings, as required by State Statute for condemnation consideration.

Motion --
-- carried

Knight moved that the Resolutions placing this matter on the agenda for a Hearing before the Governing body on March 7, 2000 at 11:00 a.m. be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-00-013

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as Lot 27, Block J, in Planeview Subdivision No. 1, Section 2, Township 28 South, Range 1 east of the 6th principal meridian, Sedgwick County, Kansas, known as 3345 East Roseberry, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-014

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: Lot 37, Block 1, in Planeview Subdivision No. 1, Sedgwick County, Kansas, known as 3341 East Munger, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

LIQUOR TAX ORD.

REPEAL OF SPECIAL LIQUOR TAX ORDINANCE.

Agenda Report No. 00-0110.

On December 14, 1999, the City Council took a number of actions relating to the Special Liquor Tax Program. The City Council reviewed the status of the outcome-based measurement process and approved funding levels for providers and authorized additional funds for pilot projects, research and development and/or new programs which demonstrate promising approaches to address alcohol and substance abuse. In addition to funding levels, the Council authorized privatization of the administration of the Special Liquor Tax funds. Finally, the City Council approved a change in governance from an advisory board to a coalition comprised of area professionals who are knowledgeable about the substance abuse community.

City Code 2.12.420 through 2.12.490 authorizes the creation of the Alcohol and Drug Abuse Advisory Board and defines the functions of this board. Based upon City Council actions of December 14, 1999, to approve a change in governance (from an advisory board to a community coalition), the ordinance is no longer necessary and should be repealed.

Motion -- carried

Knight moved that the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance abolishing the Alcohol and Drug Abuse Advisory Board and repealing Sections 2.12.420, 2.12.430, 2.12.440, 2.12.450, 2.12.460, 2.12.470, 2.12.480 and 2.12.490 of the Code of the City of Wichita, read for the second time, introduced and under the rules laid over.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 162

A 99-19 PUBLICATION

PUBLICATION OF REVISED ORDINANCE REGARDING THE ANNEXATION OF LAND GENERALLY LOCATED NORTH AND SOUTH OF KELLOGG AND EAST AND WEST OF 143RD STREET EAST (A99-19), TO THE CITY OF WICHITA, KANSAS. (District II)

Agenda Report No. 00-0111.

On December 14, 1999, the City Council approved the annexation of several tracts of land generally located north and south of Kellogg and east and west of 143rd Street East. The subject area originally consisted of approximately 1,182 acres and 1,862 properties. However, due to a technical error found in the legal description in Resolution R 99-399, several subdivisions originally proposed for annexation were inadvertently rendered ineligible and will need to be annexed in a follow up annexation. As a result, the ineligible areas were eliminated from the legal description in the ordinance that was originally published on December 24, 1999. This action authorizes the publication of the corrected ordinance describing only those areas that were correctly annexed.

Motion -- carried

Knight moved that the corrected Ordinance No. 44-470 be published. Motion carried 7 to 0.

ORDINANCES

SECOND READING ORDINANCES: (FIRST READ JANUARY 11, 2000)

- a. Kellogg/Woodlawn Interchange. (District II)

ORDINANCE NO. 44-481

An Ordinance, declaring Kellogg (U.S. 54) from Sylvan Lane to Gouverneur Road to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements on said main trafficway; setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same; repealing Ordinance No. 41-806 of the City of Wichita, Kansas; and repealing Ordinance No. 43-306 of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- b. Industrial revenue bonds - The Quarters at Cambridge. (District II)

ORDINANCE NO. 44-480

An Ordinance authorizing the City of Wichita, Kansas, to issue its taxable Industrial Revenue Bonds for the purpose of providing funds to acquire, construct and equip a residential rental facility located in the City of Wichita, Kansas; prescribing the form and authorizing execution of various documents relating to the issuance and security for the Bonds, the Lease of the residential rental facility to the Quarters at Cambridge, L.P., and the sale of the Bonds, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- c. Tax exemption - Contemporary Communications, Inc. (District I)

ORDINANCE NO. 44-482

An Ordinance exempting property from Ad Valorem Taxation for economic development purposes pursuant to Article 11, Section 13, of the Kansas Constitution; providing the terms and conditions for Ad Valorem Tax Exemption, and describing the property of Contemporary Communications, Inc., so exempted, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- d. Amending Electrical Code (Title 19) permit fee increases.

ORDINANCE NO. 44-483

An Ordinance amending Section 19.08.150 of the Code of the City of Wichita, Kansas; and repealing the original thereof; all pertaining to the Electrical Code of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 163

- e. Official signature of documents.

ORDINANCE NO.44-484

An Ordinance amending Section 2.04.030 and creating Section 2.04.035 of the Code of the City of Wichita, Kansas, pertaining to the signing of documents and instruments by the Mayor and repealing the original of Section 2.04.030, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- f. Sale of surplus property - southwest corner of Hillside and Lewis.

ORDINANCE NO. 44-485

An Ordinance providing for the acquisition by eminent domain of certain private property, easements, and right-of-way therein, for project in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the City Attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands, easements, and access control, therein taken and providing for payment of the cost thereof, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- g. Northeast Maintenance Substation site modifications, 33rd Street North and Hillside. (District II)

ORDINANCE NO. 44-486

An Ordinance amending Section 3 of Ordinance No. 43-724 of the City of Wichita, Kansas, declaring K-96 Highway, from I-135 to the east City limits, to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficways; and setting forth the nature of said improvements, the estimated cost thereof, and the manner of payment of the same and repealing the original thereof, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- h. 2000 Bridge Improvement Program. (Districts I, II, III, V, and VI)

ORDINANCE NO. 44-489

An Ordinance declaring the 10th Street Bridge at the Wichita Drainage Canal, 33rd Street North Bridge at the west drain of Chisholm Creek, 53rd street North Bridge at the Little Arkansas River, 55th Street South Bridge at the Big Slough, Northwest Bridge at the Wichita-Valley Center Floodway, and Lincoln Street Bridge at Dry Creek (2000 Bridge Construction Program), 472-83166, to be main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated cost thereof, and the manner of payment of the same, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- i. Z-3348 - north of Kellogg Drive, west of Woodchuck 200 feet (8100 West Kellogg). (District V)

ORDINANCE NO. 44-487

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, introduced and under the rules laid over. Z-3348

- i. A 99-36 - south of 45th Street North, west of Webb.

ORDINANCE NO. 44-488

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. A 99-36

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 164

PLANNING AGENDA

Marvin Krout Director of Planning stated that Items 32, 33, and 35 through 40 could be considered as consensus Items unless the Council desired to withhold other items.

Motion -- Knight moved that Planning Agenda Items 32, 33, and 35 through 40 be approved as consensus Items.
-- carried Motion carried 7 to 0.

V-2211 V-2211 - REQUEST TO VACATE A PORTION OF A UTILITY EASEMENT LOCATED SOUTHWEST OF 13TH STREET AND MAIZE. (District V)

Agenda Report No. 00-0112.

The applicant is requesting to vacate 4 feet of a 10-foot utility easement on the northwest property line to facilitate the construction of a home with a 3-car garage. A 6-foot building setback would be maintained on the northwest property line.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order, subject to the applicant shall dedicate, by separate instrument, a substitute utility easement to cover a sewer line along the northerly corner of the lot. No written protests have been filed.

Motion -- Knight moved that the Vacation Order be approved and the necessary signatures be authorized. Motion carried
-- carried 7 to 0.

V-2212 V-2212 - REQUEST TO VACATE STREET RIGHT-OF-WAY LOCATED EAST OF MAIZE ROAD AND ONE-HALF MILE NORTH OF KELLOGG. (District V)

Agenda Report No. 00-0113.

Staff Recommendation: Approve Vacation of street right-of-way.
MAPC Recommendation: Approve Vacation of street right-of-way.

The applicant is requesting to vacate street right-of-way that is undeveloped. The applicant owns property north and south of the right-of-way and this would connect his two properties.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order, subject to the City of Wichita shall retain the vacated right-of-way as access and utility easement. No written protests have been filed.

Motion -- Knight moved that the Vacation Order be approved and the necessary signatures be authorized. Motion carried
-- carried 7 to 0.

(Item No. 34)
S/D 97-14

S/D 97-14 - PLAT OF REGENCY PARK ADDITION LOCATED ON THE SOUTH SIDE OF 29TH STREET NORTH, ON THE WEST SIDE OF GREENWICH. (District II)

Marvin Krout Director of Planning requested a deferral and explained that Engineering was reviewing the storm water petition.

Motion -- carried Knight moved that this Item be deferred. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 165

S/D 97-27

S/D 97-27 - PLAT OF BURBANK ADDITION LOCATED ON THE SOUTHEAST CORNER OF 21ST STREET NORTH AND 167TH STREET WEST. (District V)

Agenda Report No. 00-0115.

Staff Recommendation: Approve the Plat.
MAPC Recommendation: Approve the Plat.

This site is in the County within three miles of the City's boundary. A zone change (SCZ-0722) was approved for this site subject to platting. A Protective Overlay (P-O #5) was also approved for this site which addressed uses, signage, lighting and architectural controls.

A petition, 100%, has been submitted for traffic improvements. A restrictive covenant has been provided limiting the amount of sewage disposal as requested by the Heath Department.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

Motion --
-- carried

Knight moved that the documents and plat be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

S/D 99-13

S/D 99-13 - PLAT OF BOOHER SECOND ADDITION LOCATED ON THE WEST SIDE OF SENECA, SOUTH OF 55TH STREET SOUTH. (District IV)

Agenda Report No. 00-0116.

Staff Recommendation: Approve the Plat.
MAPC Recommendation: Approve the Plat.

This plat is zoned SF-20, Single-Family Residential and is located in the County within three miles of Wichita's City limits. The site has been approved by the County Health Department for the use of on-site sanitary sewer and water facilities.

A petition, 100%, has been submitted for future City water improvements. A Certificate of Petitions has also been submitted. The private street has been constructed and has been approved by the County Fire Department. A restrictive covenant has been provided which sets forth ownership and maintenance responsibilities of the private street.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

Motion --
-- carried

Knight moved that the documents and plat be approved; the Resolution be adopted; and the necessary signatures be authorized. Motion carried 7 to 0.

RESOLUTION NO. R-00-032

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89450 (south of 55th Street South, west of Seneca) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

S/D 99-70

S/D 99-70 - PLAT OF STONEBOROUGH SECOND ADDITION LOCATED ON THE WEST SIDE OF BROADWAY, NORTH OF 55TH STREET SOUTH. (District IV)

Agenda Report No. 00-0117.

Staff Recommendation: Approve the Plat.
MAPC Recommendation: Approve the Plat.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 166

This plat is zoned GC, General Commercial. Municipal water and sewer services are currently available to serve the site.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

Motion -- carried

Knight moved that the Plat be approved and the necessary signatures be authorized. Motion carried 7 to 0.

S/D 99-80

S/D 99-80 - PLAT OF RAINBOW ESTATES SECOND ADDITION LOCATED ON THE EAST SIDE OF SENECA, SOUTH OF 55TH STREET SOUTH. (District II)

Agenda Report No. 00-0118.

Staff Recommendation: Approve the Plat.

MAPC Recommendation: Approve the Plat.

This plat is zoned LC, Limited Commercial, and is located in the County within three miles of the City's boundary. City water services are currently available. The site has been approved by the Health Department for the use of on-site sanitary sewer facilities.

A petition, 100%, have been submitted for future sanitary sewer improvements. A Certificate of Petitions has also been submitted. An off-site sewer easement was also provided.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

Motion --
-- carried

Knight moved that the documents and plat be approved; the Resolution be adopted; and the necessary signatures be authorized. Motion carried 7 to 0.

RESOLUTION NO. R-00-033

Resolution of findings of advisability and Resolution authorizing construction of Lateral 444, Southwest Interceptor Sewer (east of Seneca, south of 55th Street South), Project No. 468-83071) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

STREET IMPR.

STREET IMPROVEMENT AGREEMENT FOR L/S 1023 LOCATED ON THE EAST SIDE OF CLARA STREET, NORTH OF THIRD STREET.

(District IV)

Agenda Report No. 00-0119.

This No Protest Agreement for the paving of Clara was required for the approval of a Lot Split (L/S 1023) for Lot 12, Block 4, Fruitvale Park Addition. The Lot Split will allow for the creation of an additional lot zoned SF-6, Single Family Residential. This Agreement assures the City of Wichita that this property will be included in the improvement district for paving of Clara Street and that the owners have waived their right to protest said paving.

Motion -- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

D-1780

D-1780 - DEDICATION OF A UTILITY EASEMENT LOCATED BETWEEN ORME STREET AND KELLOGG AND WATER AND WICHITA STREETS. (District I)

Agenda Report No. 00-0120.

MAPC Recommendation: Accept the Dedication.

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 167

This Dedication is a requirement of Vacation Case (V-2196), and is being dedicated for the purpose of construction and maintenance of public utilities.

The Dedication has been reviewed and approved by the Planning Commission.

Motion -- carried

Knight moved that the Dedication be accepted. Motion carried 7 to 0.

(Item No. 41)

A 00-01

A 00-01 - ADOPTION OF A RESOLUTION ESTABLISHING A FUTURE PUBLIC HEARING ON THE ANNEXATION OF ELIGIBLE PROPERTIES GENERALLY LOCATED ½ MILE SOUTH OF KELLOGG AND EAST AND WEST OF 143RD STREET EAST TO THE CITY OF WICHITA, KANSAS.
(District II)

Marvin Krout

Director of Planning reviewed the Item.

Agenda Report No. 00-0121.

The properties proposed for annexation are located ½ mile south of Kellogg and east and west of 143rd Street East. A resolution for consideration by the City Council establishes a future public hearing date of March 28, 2000, for consideration of a unilateral annexation.

The subject area was originally part of a larger annexation approved in December 1999. However, due to a technical error found in the legal description in Resolution R 99-399, several subdivisions were inadvertently rendered ineligible, necessitating the need for a second phase.

The subject area consists of approximately 429 acres and 687 properties (all platted). The land-use pattern consists of 417 residential tracts, 269 vacant tracts or reserves, and one (1) church tract. The majority of the area is zoned "SF-6" Single Family Residential and "SF-20" Single-Family Residential, with a few small areas zoned "LC" Limited Commercial. Those areas zoned "SF-20" will convert to the "SF-6" Single-Family Residential district upon annexation (SF-10 if requested by property owner) while other properties will retain their existing zoning. All of the land proposed for annexation is located within the area identified as "low-density residential," in the Land Use Guide Map in the Wichita-Sedgwick County Comprehensive Plan: Preparing for Change. The proposed area for annexation is also within the "new growth" boundary found in the Comprehensive Plan.

The proposed annexation will allow for the continuation of the City's growth in the east part of Wichita. Many properties in the annexation area are already served with City of Wichita water, with 12-inch to 16-inch mains located in portions of Harry, Kellogg, Central and 143rd Street East. The City's 2000-2009 Capital Improvement Program (C.I.P.) includes projects to install additional mains in portions of 143rd Street East and 159th Street East. The undeveloped property at the southwest corner of 143rd Street East and Harry, as well as several residential tracts near 143rd Street East and Central Avenue, are not currently served by City water. As for sewer, the Sedgwick County Four-Mile Creek Sewer District currently serves the majority of the properties in this proposed annexation.

To proceed with this annexation, the Council must adopt a resolution establishing a hearing date. Once the hearing date is established, a plan for extension of municipal services to the area will be placed on file in the City Clerk's Office. The Service Extension Plan outlines the City's intention to provide major municipal services to the area.

The total appraised value of the land and improvements proposed for annexation is \$65,871,202 resulting in an annual City Ad Valorem tax revenue of approximately \$238,064. Major municipal services to be provided to this area upon annexation are street maintenance, ditch cleaning, culvert cleaning, fire protection, police protection, building code enforcement, and health code enforcement. The operating departments currently delivering these services will fund them upon annexation. Major municipal services, such as local street improvements, water and sewer service, may be provided to this area upon request of the property owners. The cost of municipal services requested by the property owners will be distributed among the City at large and the benefiting property owners according to current City policies.

In the absence of an annexation request from a property owner, State law requires the adoption of a resolution by the City Council indicating the City's intent to annex, a description of the property to be annexed, and a notice of the time and place for a public hearing to consider the matter. Copies of the resolution must be sent (via certified mail) to all owners of the properties proposed for annexation within 10 days of adoption. Also, the resolution must be published once in the official City newspaper not less than one week and not more than two weeks prior to the

CITY COUNCIL PROCEEDINGS

JOURNAL 170

JANUARY 25, 2000

PAGE 168

public hearing date. A report stating the plans for the extension of municipal services to the proposed annexation area must also be placed on file for public inspection in the City Clerk's Office.

The Resolution establishes March 28, 2000, 7:00 p.m., at the East Point Church of Christ, 747 North 127th Street East, as the time and place for the public hearing.

Motion --carried

Knight moved that the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO.R-00-016

A Resolution establishing March 28, 2000, at 7:00 p.m., at the East Point Church of Christ, 747 North 127th Street East, as the time and place for a public hearing regarding the unilateral annexation of property generally located 2/3 mile south of Kellogg and east and west of 143rd Street East to the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

ADJOURNMENT

The City Council meeting adjourned at 9:40 a.m.

Pat Burnett CMC
City Clerk

WORKSHOP

WORKSHOP: CABLE FRANCHISE.